

1 GORDON SILVER  
2 GERALD M. GORDON, ESQ.  
3 Nevada Bar No. 229  
4 E-mail: ggordon@gordonsilver.com  
5 CANDACE C. CLARK, ESQ.  
6 Nevada Bar No. 11539  
7 E-mail: cclark@gordonsilver.com  
8 KIRK D. HOMEYER, ESQ.  
9 Nevada Bar No. 12402  
10 E-mail: khomeyer@gordonsilver.com  
11 3960 Howard Hughes Pkwy., 9th Floor  
12 Las Vegas, Nevada 89169  
13 Telephone (702) 796-5555  
14 Facsimile (702) 369-2666  
15  
16 HELLER, DRAPER, PATRICK & HORN, L.L.C.  
17 DOUGLAS S. DRAPER, ESQ.  
18 Louisiana Bar No. 5073  
19 E-mail: ddraper@hellerdraper.com  
20 WILLIAM H. PATRICK, III, ESQ.  
21 E-mail: wpatrick@hellerdraper.com  
22 Louisiana Bar No. 10359  
23 LESLIE A. COLLINS, ESQ.  
24 E-mail: lcollins@hellerdraper.com  
25 Louisiana Bar No. 14891  
26 650 Poydras St., Suite 2500  
27 New Orleans, LA 70130  
28 Telephone (504) 299-3300  
Facsimile (504) 299-3399  
*Attorneys for David Bagley,*  
*Liquidating Trustee of the DCR Liquidating Trust*

17                   **UNITED STATES BANKRUPTCY COURT**  
18                   **FOR THE DISTRICT OF NEVADA**

19 In re:  
20 DESERT CAPITAL REIT, INC.,  
21  
22                   Debtor.

Case No.: 11-16624-LBR  
Chapter 11

23 DAVID BAGLEY, the liquidating trustee of the  
24 DCR Liquidating Trust,

Adv. No. 13-01075-lbr

25 Plaintiff

**STIPULATION FOR BANKRUPTCY  
COURT TO CERTIFY THIS MATTER  
TO THE DISTRICT COURT PURSUANT  
TO LR 9015(e)**

26 v.

27 TODD PARRIOTT, an individual, and  
28 PHILLIP PARRIOTT, an individual

Defendants.

1 Plaintiff, David Bagley (“Trustee”), in his capacity as the liquidating trustee of the DCR  
 2 Liquidating Trust, by and through his counsel, the law firms of Gordon Silver and Heller,  
 3 Draper, Patrick & Horn, L.L.C., Defendant Phillip Parriott (“Phillip”), by and through his  
 4 counsel, Walsh & Friedman, Ltd., and Defendant Todd Parriott (“Todd”), by and through his  
 5 counsel, Fox Rothschild, LLP, hereby stipulate and agree as follows:

6 **RECITALS**

7 A. On April 24, 2013, Trustee filed his Complaint [ECF No. 1] against Phillip and  
 8 Todd to avoid and recover transfers of property pursuant to 11 U.S.C. §§ 544, 548, 550 and 551.  
 9 See ECF No. 1.

10 B. In their Answers to the Complaint, Phillip and Todd both timely demanded a jury  
 11 trial in accordance with LR 9015(c). See ECF Nos. 16, 23.

12 C. Trustee, Phillip, and Todd have conferred and agree that they have a right to a  
 13 jury trial.

14 D. NOW, THEREFORE, Trustee, Phillip, and Todd stipulate as follows:

15 **STIPULATIONS**

16 1. Trustee, Phillip, and Todd consent to the Bankruptcy Court certifying this matter  
 17 to the District Court for a jury trial pursuant to LR 9015(e).

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1                   DATED this 17th day of January, 2014.

2 STIPULATED AND AGREED TO BY:

3 GORDON SILVER

WALSH & FRIEDMAN, LTD.

5 By: /s/ Kirk D. Homeyer  
6 GERALD M. GORDON, ESQ.  
7 CANDACE C. CLARK, ESQ.  
8 KIRK D. HOMEYER, ESQ.  
9 3960 Howard Hughes Pkwy., 9th Floor  
Las Vegas, Nevada 89169

By: /s/ Matthew P. Pawlowski  
MATTHEW P. PAWLOWSKI, ESQ.  
400 S. Maryland Pkwy.  
Las Vegas, Nevada 89101

*Attorneys for Phillip Parriott*

and

HELLER, DRAPER, PATRICK & HORN,  
L.L.C.  
DOUGLAS S. DRAPER, ESQ.  
WILLIAM H. PATRICK, III, ESQ.  
GRETA M. BROUPHY, ESQ.  
650 Poydras Street, Suite 2500  
New Orleans, Louisiana 70130

*Attorneys for David Bagley, Liquidating  
Trustee of the DCR Liquidating Trust*

16 FOX ROTHSCHILD LLP

18 By: /s/ John H. Gutke  
19 MARK J. CONNOT, ESQ.  
JOHN H. GUTKE, ESQ.  
20 3800 Howard Hughes Parkway,  
Suite 500  
21 Las Vegas, Nevada 89169

*Attorneys for Todd Parriott*

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L. R.

Honorable Linda B. Riegle  
United States Bankruptcy Judge



5 Entered on Docket  
January 22, 2014

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E-mail: ggordon@gordonsilver.com  
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Nevada Bar No. 11539  
E-mail: cclark@gordonsilver.com  
KIRK D. HOMEYER, ESQ.  
Nevada Bar No. 12402  
E-mail: khomeyer@gordonsilver.com  
3960 Howard Hughes Pkwy., 9th Floor  
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Telephone (702) 796-5555  
Facsimile (702) 369-2666

HELLER, DRAPER, PATRICK & HORN, L.L.C.  
DOUGLAS S. DRAPER, ESQ.  
Louisiana Bar No. 5073  
E-mail: ddraper@hellerdraper.com  
WILLIAM H. PATRICK, III, ESQ.  
E-mail: wpatrick@hellerdraper.com  
Louisiana Bar No. 10359  
LESLIE A. COLLINS, ESQ.  
E-mail: lcollins@hellerdraper.com  
Louisiana Bar No. 14891  
650 Poydras St., Suite 2500  
New Orleans, LA 70130  
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UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA

In re:  
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DESERT CAPITAL REIT, INC.,  
Debtor.

Case No.: 11-16624-LBR  
Chapter 11

Adv. No. 13-01075-lbr

1 DAVID BAGLEY, the liquidating trustee of the  
2 DCR Liquidating Trust,

3 Plaintiff

4 v.

5 TODD PARRIOTT, an individual, and  
6 PHILLIP PARRIOTT, an individual

7 Defendants.

**ORDER APPROVING STIPULATION  
FOR BANKRUPTCY COURT TO  
CERTIFY THIS MATTER TO THE  
DISTRICT COURT PURSUANT TO LR  
9015(e)**

8 Plaintiff David Bagley, in his capacity as the liquidating trustee of the DCR Liquidating  
9 Trust, by and through his counsel, the law firms of Gordon Silver and Heller, Draper, Patrick &  
10 Horn, L.L.C., Defendant Phillip Parriott, by and through his counsel, Walsh & Friedman, Ltd.,  
11 and Defendant Todd Parriott, by and through his counsel, Fox Rothschild, LLP, entered into that  
12 certain *Stipulation to for Bankruptcy Court to Certify this Matter to the District Court Pursuant  
to LR 9015(e)* (the “Stipulation”).<sup>1</sup>

13 The Court, having read and considered the Stipulation and good cause appearing therefor,  
14 IT IS HEREBY ORDERED that:

15 1. The Stipulation is approved in its entirety.  
16 2. This matter is hereby certified to the District Court for a jury trial pursuant to LR  
17 9015(e).

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28 <sup>1</sup> Capitalized, undefined terms herein shall have those meanings ascribed to them in the Stipulation.

1 PREPARED AND SUBMITTED:

2 GORDON SILVER

3 By /s/ Kirk D. Homeyer

4 GERALD M. GORDON, ESQ.

5 CANDACE C. CLARK, ESQ.

6 KIRK D. HOMEYER, ESQ.

7 3960 Howard Hughes Pkwy., 9th Floor

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9 and

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13 GRETA M. BROUPHY, ESQ.

14 650 Poydras Street, Suite 2500

15 New Orleans, Louisiana 70130

16 *Attorneys for David Bagley,  
17 Liquidating Trustee of the DCR Liquidating Trust*

18                          ###